

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

STOLLE MACHINERY COMPANY,

Plaintiff, : Case No. 3:10-cv-155

-vs- : District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

RAM PRECISION INDUSTRIES,
et al.,

Defendants.

ORDER

This case is before the Court *sua sponte* for management of compliance with the Preliminary Pretrial Conference Order (Doc. No. 40). That Order requires that all parties **file** lay witness lists not later than October 15, 2012. *Id.* at ¶ 8. On October 15, 2012, Plaintiff filed a Notice that it had served a lay witness list on counsel for the Defendants (Doc. No. 41). However, no actual list of witnesses was filed with the Court. The Notice in question does not comply with the Pretrial Order. Plaintiff shall forthwith file with the Court the list of lay witnesses served on Defendants' counsel.

Neither of the remaining Defendants in the case has filed a lay witness list. Similarly, neither party has filed a expert witness list, although those lists were due to be filed by October 25, 2012.

It is accordingly ORDERED that Defendants show cause in writing not later than November 10, 2012, why they should not be precluded from introducing lay witness testimony

and all parties show cause by that date why they should not be precluded from introducing expert testimony.

October 31, 2012.

s/ *Michael R. Merz*
United States Magistrate Judge